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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DILA DEWEY, and individual,

Plaintiff,

v.

HOME DEPOT USA, Inc., a foreign
corporation, doing business in the State of
Washington under the assumed name of THE
HOME DEPOT; HD DEVELOPMENT OF
MARYLAND, Inc., a Foreign Corporation,
doing business in the State of Washington; and
“JOHN DOE” and “JANE DOE,” husband and
wife, and the marital community thereof,

Defendants.

NO. 3:10-CV-05037-RJB

STIPULATION AND ORDER FOR
DISMISSAL OF AFFIRMATIVE
DEFENSES

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I. STIPULATION

The parties stipulate that the affirmative defenses for expiration of the statute of limitations and failure to state a claim upon which relief can be granted, or Affirmative Defenses Nos. 1 and 3 of defendant Home Depot USA's Answer, may be dismissed without prejudice and without costs.

Form and substance approved by:

/s/Thomas B. Vertetis
Thomas B. Vertetis, WSBA No. 29805
Attorney for Plaintiff Dila Dewey

/s/Dennis G. Woods
Dennis G. Woods, WSBA No. 28713
Gregory P. Thatcher, WSBA No. 40902
Attorneys for Defendants Home Depot and
HD Development of Maryland

II. ORDER

This matter coming before the Court on the above Stipulation, and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that defendant Home Depot USA's Affirmative Defenses Nos. 1 and 3 are **DISMISSED** without prejudice and without costs.

DATED this 8th day of March, 2010.



ROBERT J. BRYAN
United States District Judge

Presented by:

SCHEER & ZEHNDER LLP

By: /s/Dennis G. Woods
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